

## **KANAB CITY COUNCIL MEETING**

**FEBRUARY 24, 2015**

### **KANE COUNTY COMMISSION CHAMBERS**

**PRESENT:** Mayor Robert D. Houston, Council Members Kirt Carpenter, Cheryl Brown, Kent Burggraaf, Brent Chamberlain and Joe B. Wright, City Manager, Joe Decker, Attorney Jeff Stott and City Treasurer RaeLene Johnson.

**WORK MEETING:** Mayor Houston opened the work meeting at 6:30 p.m.

**PRESENTATION OF AUDIT:** Steve Palmer with Hinton Burdick addressed the Council and presented the 2013/14 audit. He said that the independent auditors report received a clean opinion. In the compliance and internal control over financial reporting one material weakness was found and two significant deficiencies. The material weakness was in controls over accounting and reconciliations. The two significant deficiencies were the water and sewer fund inventory and capital asset accounting. The general state compliance requirements were found to not have any funding classified as a major program during the year June 30, 2014. They found the City compliant in all material respects. Mr. Palmer stated that the City is doing very well. He stated his appreciation to work for the City and the Staff while working on the audit. (Copy of audit is on file in the City Office.)

Jeff Stott passed out official disclosure statements to the Council to make sure they still have nothing to disclose since being elected.

**DISCUSSION ON NUISANCE ORDINANCE:** The nuisance ordinance was discussed. Mr. Stott said that the definition of a nuisance comes straight from the State Code. The Council discussed nuisances enumerated. Council instructed that copies of the suggested nuisance definition and nuisances enumerated be given to those employees involved in nuisances for their input.

Mayor Houston called the business meeting to order and roll call was taken. Prayer was offered by Council Member Chamberlain and the pledge of allegiance was led by Council Member Burggraaf.

**APPROVAL OF AGENDA:** A motion was made by Council Member Carpenter and 2<sup>nd</sup> by Council Member Wright to approve the agenda for February 24<sup>th</sup>. Motion passed unanimously.

**APPROVAL OF MINUTES:** A motion was made by Council Member Brown and 2<sup>nd</sup> by Council Member Wright to approve the minutes of February 10<sup>th</sup> as corrected. Motion passed unanimously. Council Member Carpenter stated that he was at the Planning Commission meeting where Gary McBride expressed his personal opinion on the Hampton Inn. He felt that

Mr. McBride's comments were within keeping with any citizen's opinion. Mayor Houston said that the position that Mr. McBride was in at that time made the comments inappropriate. Gary has been talked to about this, and he understands. If he wants to make public comments, he needs to do it away from the table because it appeared his comments were based on staff and not individual.

**APPROVAL OF ACCOUNTS PAYABLE VOUCHERS:** A motion was made by Council Member Chamberlain and 2<sup>nd</sup> by Council Member Carpenter to approve the accounts payable vouchers for February 24<sup>th</sup> in the amount of \$97,488.81. Motion passed unanimously.

**PUBLIC COMMENT PERIOD:** Mr. Paul Arndt addressed the Council. He said that he had turned in pictures of four different properties four years ago. He said he was excited to see the Council is working so hard to get these nuisances under control. Mr. Dave Baird, Chairman of Parks and Recreation, asked the City to allocate \$3,000 for the Bike Committee from the parks and recreation funds to design some mountain bike trails. When this request comes before the Council, he asked the Council to approve it. He feels it will enhance the recreation in the area. Mr. Francis Battista addressed the Council. He asked the Council to consider dropping the pet limit laws. He felt it could be addressed under the nuisance ordinance. He said the Governor's Office of Economic Development has selected Kane County as four Utah Counties to receive consultation from Roger Brooks who has developed other destination communities such as Jackson, Wyoming. He and the Consultant for Utah State Economic Development Committee will be visiting Kane County in June to help with ways to promote Kanab a destination community. Mr. Battista said he sent a letter to Vicki Parela who is the Managing Director of the Governor's Office of Economic Development Utah Office of Tourism. He read the letter to the Council. The letter is on file in the City Office. Mr. Battista requested that the approval of adopting the General Plan be tabled until after the economic meeting in June to hear what the Governor's office has to say. Mr. Steve Hogseth asked the Council if fire protection was taken into consideration when approving a 4-story hotel. Patricia Patterson who is on the Bike Committee addressed the Council. She encouraged the Council to support the Bike Committee and approve the \$3,000. Mr. Jim Page expressed thanks for the nuisance ordinance work. He suggested getting the information to the newspaper because some people are not getting all the information. He suggested that the Council review the General Plan comments that were given by the Beautification Committee.

**APPROVAL OF LEASE AGREEMENT BETWEEN KANE COUNTY CHILDREN'S JUSTICE CENTER AND KANAB CITY FOR A PORTION OF FIRE STATION #2:**

Kane County Attorney Rob VanDyke addressed the Council. He said the County needs to use the fire station for the Kane County Children's Justice Center until a new location is obtained. He showed the Council what improvements would need to be done to the fire station. A motion was made by Council Member Wright and 2<sup>nd</sup> by Council Member Burggraaf to approve the lease agreement between Kane County and Kanab City and authorize the City Manager to sign the lease. Motion passed unanimously.

## **APPROVAL OF ORDINANCE 2-3-15 O/AN ORDINANCE ADOPTING KANAB CITY**

**GENERAL PLAN:** Council Member Brown explained the changes that the Beautification Committee would like in the General Plan. She suggested having a link on the City's web site allowing access to the history. She suggested putting a paragraph in the General Plan with a link to the history. Mayor Houston said that we don't want to lose the history. Council Member Brown also felt better pictures were needed. Council Member Chamberlain suggested changing the motto of "Kanab: A Western Classic" to "Magically Unspoiled" to follow the direction that the County is going. Council Member Brown wanted the paragraph on the protection of the environment be left in 2.6. Under Land Use Goals she suggested to put in "to protect Kanab Creek Environment and plant life". Under City Beautification adding use of native plants when describing landscaping and surfaces. Under Historic Preservation she would like it to state Historic buildings and houses and trees. Under Urban Forestry delete establishment of a Tree Committee and change to the following: The Beautification/Tree Committee should be charged with having the committee promoting good urban forestry in the public right-of-ways. Under Community Design Goals include "Gateway and continued maintenance" on beautification efforts. Leave in "Image" under 4.2 Economic Development. Under 7.3 Planned Facilities she suggested having a link about existing facilities. Under Parks and Recreation Goals under Actions include art ii. Foster an environment where cultural and art organizations can develop and flourish. Under Public Services and Facilities Goals under Actions iii. Change from clean entire sewer system on a 3-year cycle to maintain and update sewer system. Under 3. Provide excellent support to educational institutions add in the Actions column ii. "Specialist education programs". Mayor said that this General Plan has been worked on since March 2013. He feels it needs to be approved. It is a living document and can be changed. Mayor Houston opened the Public Comment Period again. Mr. Jim Page said the Council needs to be cautious about eliminating the motto of a Western Classic. He said Germans and Europeans still come because of their interest in westerns. That is why bus loads of tourist stop here. Rich Csenge stated his gratitude with the Council taking in the Beautification Committee's recommendations. He was still concerned with dumping. He said we're trying to beautify the City, but he thinks the City needs a stronger law than State Law. He feels it is blight. This area deserves more attention. Council explained that this can be addressed in the Sensitive Land Ordinance. A motion was made by Council Member Burggraaf and 2<sup>nd</sup> by Council Member Wright to adopt Ordinance #2-3-15 O an Ordinance adopting the Kanab City General Plan with the suggested specified changes. Motion passed unanimously by roll call vote.

A motion to go into a closed session to discuss personnel, pending litigation or purchase and exchange of real property was made by Council Member Wright and 2<sup>nd</sup> by Council Member Chamberlain. Motion passed unanimously.

Out of closed session.

A motion to adjourn was made by Council Member Chamberlain and 2<sup>nd</sup> by Council Member Wright. Motion passed unanimously.

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MAYOR

ROBERT D. HOUSTON

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RECORDER

JOE DECKER